

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JACKSON FAMILY WINES, INC. and) Case No. CV-11-5639 (EMC) (JSC)
LC TM HOLDINGS, LLC,)
Plaintiffs,)
v.)
DIAGEO NORTH AMERICA, INC. and)
DIAGEO CHATEAU & ESTATE WINES CO.,)
Defendants.)
)
)
)
**JOINT STATEMENT REGARDING
TRIAL SCHEDULE ; ORDER**

At the Court’s request, Plaintiffs Jackson Family Wines, Inc. and LC TM Holdings, LLC (“Plaintiffs”) and Defendants Diageo North America, Inc. and Diageo Chateau & Estate Wines Co. (together “Defendants” or “Diageo”) (together with Plaintiffs, the “Parties”) submit this joint letter regarding the trial schedule in this matter.

A four-day jury trial of this case is currently scheduled to begin on December 16, 2013. Due to a potential conflict in the Court's schedule, the Court proposed rescheduling the trial to February 3, 2014 or March 3, 2014 [Dkt. 85].

The Parties have met and conferred by phone regarding this scheduling issue and have reached the following conclusions: (1) the Parties believe the trial will likely require six to seven days (as opposed to the initial estimate of four days), including the jury selection process; and (2) the Parties are available for trial from March 3, 2014 to March 12, 2014. The Parties also believe that moving the trial to next March would better facilitate a six- or seven-day trial because the current December trial schedule may be interrupted by the Christmas holiday, which would impose an undesired mid-trial break on the Court, the jurors, and the Parties.

As such, the Parties respectfully request that the Court adjourn the trial to start on March 3, 2014 and that all remaining pre-trial deadlines, including the deadline for the joint pretrial conference statement and other pretrial materials, and the date of the final pretrial conference, all identified in the Parties' Updated Joint Case Management Statement filed September 19, 2013

1 [Dkt. 84], be postponed accordingly.

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3 Dated: October 1, 2013

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5 /s/ Peter J. Willsey
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15 IT IS SO ORDERED that the jury trial is reset from 12/16/13 to 3/3/14
16 at 8:30 a.m. The Court reserved 7 days for the trial. Court to issue
amended CMC and pretrial order

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Edward M. Chen
United States District Judge
18 Dated: 10/9/13

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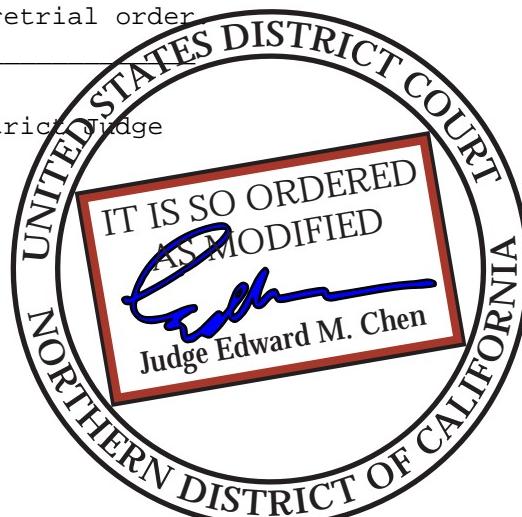
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/s/ Brendan J. O'Rourke
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**UNITED STATES DISTRICT COURT
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I hereby certify that on October 1, 2013, I electronically filed the foregoing with the Clerk of Court using the CM/ECF electronic notification system. All counsel of record were served via the Court's electronic filing system.

/s/ Peter J. Willsey

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